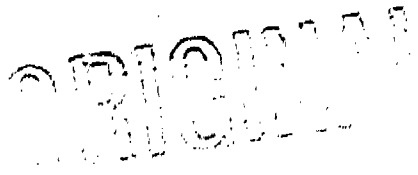


Decision No. 9621.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
Southern Pacific Company for per-
mission to construct a spur track
at grade across Railroad Avenue
at Palermo, County of Butte, California.)

Application No. 7246.



By The Commission:

O R D E R

Southern Pacific Company a corporation, having on October 11, 1921, filed with the Commission an application for permission to construct a spur track at grade across Railroad Avenue at Palermo, County of Butte, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by Board of Supervisors of said County of Butte for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Railroad Avenue, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across Railroad Avenue, in the Town of Palermo, Butte County, California, described as follows:

Beginning at a point on the westerly line of Railroad Avenue in the Town of Palermo, Butte County, California, and shown on the plat thereof filed in the office of the County Recorder on February 17, 1891, in Map Book 5, Page 3. Said point is also on the easterly right of way line of the Southern Pacific Railroad opposite to and at right angles from railroad Engineers Station 1078 plus 82.7 and 90.0 feet distant therefrom; said point of beginning bears S. 3° 50½' W. 303.12 feet from the northwesterly corner of Block 6 in said Town of Palermo. Thence N. 19° 39½' E. 20.0 feet; thence following the arc of a curve to the left of

477.68 feet radius, a distance of 179.2 feet, the chord of which bears N.9° 05½' E. 176.28 feet; thence N. 1° 28½' W. 2.8 feet, to a point on the easterly line of said Railroad Avenue.

All of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said Railroad Avenue now graded, with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 20th day of October, 1921.

W. D. Loveland
C
W. J. Powell
W. J. Powell
Commissioners.